

Message Text

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ORIGIN AEC-11

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66619

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P 282236Z MAY 74

FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY MOSCOW PRIORITY

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FOLLOWING REPEAT IAEA VIENNA 4692 ACTION STATE, AEC, PARIS

24 MAY 1974. QUOTE:

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E.O. 11652: N/A

TAGS: TECH, PARM, IAEA

SUBJ: REPORTING INTERNATIONAL TRANSFERS OF NUCLEAR MATERIAL

PARIS FOR AMBASSADOR TAPE

REF: (A) IAEA VIENNA 3038

(B) IAEA VIENNA 9884, NOV 30, 1973

(C) STATE 15963

(D) STATE 34710

SUMMARY: USSR, IN SURPRISING REVERSAL OF PREVIOUS
FIRM POSITION, WISHES UK, US AND USSR TO AGREE AT EARLY
DATE TO PROVIDE IAEA WITH ADVANCE INFO ON EXPORTS OF
NUCLEAR MATERIAL TO ANY NNWS, BUT TO PROVIDE ONLY POST-
FACTO INFO ASAP AFTER ANY IMPORT OF NUCLEAR MATERIAL

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WHICH HAD BEEN SUBJECT TO SAFEGUARDS IN EXPORTING

COUNTRY. ACTION REQUESTED GUIDANCE FOR DISCUSSION,
PROPOSED BY USSR FOR WEEK OF MAY 27, OF REVISED TEXT
DRAFT LETTERS. END SUMMARY.

1. DURING MAY 21 CONSULTATIONS, USSR AMB. ARKADIEV
RAISED SUBJECT OF INTERNATIONAL TRANSFERS AND REFERRED
TO NOV 1973 DRAFT TEXT OF LETTER TO IAEA DIRGEN (TRANS-
MITTED REFTEL B). HE STATED THAT HIS GOVERNMENT WISHES
TO HAVE FOURTH-TO-LAST PARA (BEGINNING "THE INFORMATION
DESCRIBED ABOVE WILL BE PROVIDED, ETC.") TO APPLY TO
EXPORTS, BUT THAT ONLY CONFIRMATION AFTER RECEIPT OF
IMPORTS WOULD BE PROVIDED. WE QUESTIONED HIM AT LENGTH,
TO ASCERTAIN THAT WE HAD UNDERSTOOD CORRECTLY, IN LIGHT
OF CONTRARY POSITION ON EXPORTS REPORTED REFTEL A.
ARKADIEV REFERRED TO PARA IN QUESTION AND DREW LINE
THROUGH "OR IMPORTED INTO" AND SAID THAT REMAINDER OF
PARA WAS WHAT HIS GOVERNMENT WAS PROPOSING. HE REFERRED
TO PREVIOUS US DISCUSSION OF UTILIZING EXPORT LICENSE
(OR APPLICATIONS) AS MEANS FOR GIVING ADVANCE NOTICE
(SEE PARA 7 AND 8, REFTEL A) AND SAID HIS GOVERNMENT
PREFERRED THAT "GOVERNMENT INFORMATION" BE PROVIDED TO
IAEA, RATHER THAN "PRIVATE COMPANY INFORMATION."

2. ARKADIEV ASKED THAT RESPECTIVE MISSION STAFFS MEET
FOLLOWING CONSULTATION AND JOINTLY REDRAFT TEXT TO
REFLECT USSR PROPOSAL, FOR CONSIDERATION BY THEIR
GOVERNMENTS AND UK.

3. ACCORDINGLY, REVISED DRAFT TEXT WAS PRODUCED MAY 24
ON AD REFERENDUM BASIS, BY JACKSON (UK), TOLCHENKOV (USSR)
AND MISSION WHICH READS AS FOLLOWS:
QTE.TO: DIRECTOR GENERAL, IAEA. I AM PLEASED TO INFORM
YOU THAT MY GOVERNMENT, IN THE INTEREST OF ASSISTING
THE IAEA IN ITS SAFEGUARDS ACTIVITIES, HAS DECIDED THAT
THE AGENCY SHOULD BE PROVIDED ON A CONTINUING BASIS
WITH THE FOLLOWING INFORMATION:

(1) WITH RESPECT TO EACH EXPORT OF NUCLEAR MATERIAL
(EXCLUDING EXPORTS OF SOURCE MATERIAL FOR NON-NUCLEAR
PURPOSES), IN AN AMOUNT EXCEEDING ONE EFFECTIVE KILOGRAM,
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FOR PEACEFUL PURPOSES TO ANY NON-NUCLEAR WEAPON STATE:

(A) THE ORGANIZATION OR COMPANY WHICH WILL
PREPARE THE NUCLEAR MATERIAL FOR EXPORT;
(B) THE DESCRIPTION, COMPOSITION AND QUANTITY
OF NUCLEAR MATERIAL IN THE ANTICIPATED EXPORT;
(C) THE STATE AND ORGANIZATION OR COMPANY TO
WHICH THE NUCLEAR MATERIAL IS TO BE EXPORTED

AND, WHERE APPLICABLE (I.E., IN THOSE CASES
IN WHICH NUCLEAR MATERIAL IS PROCESSED FURTHER
IN A SECOND STATE BEFORE RETRANSFER TO A
THIRD STATE) THE STATE AND ORGANIZATION OR
COMPANY OF ULTIMATE DESTINATION.

THE FOREGOING INFORMATION WILL BE PROVIDED NORMALLY
AT LEAST TEN DAYS PRIOR TO THE DATE ON WHICH THE
MATERIAL IS EXPORTED FROM MY COUNTRY; CONFIRMATION OF
EACH SUCH EXPORT WILL BE PROVIDED PROMPTLY AFTER SUCH
DATE.

(2) WITH RESPECT TO EACH IMPORT (BEGIN BRACKET) FOR
PEACEFUL NUCLEAR PURPOSES (END BRACKET), IN AN AMOUNT
GREATER THAN ONE EFFECTIVE KILOGRAM, OF NUCLEAR MATERIAL
WHICH HAS BEEN SUBJECT TO SAFEGUARDS, UNDER AN AGREEMENT
WITH THE IAEA, IN THE STATE FROM WHICH THE MATERIAL IS
IMPORTED:

(A) THE STATE AND ORGANIZATION OR COMPANY FROM
WHICH THE NUCLEAR MATERIAL IS RECEIVED;
(B) THE DESCRIPTION, COMPOSITION AND QUANTITY OF
NUCLEAR MATERIAL IN THE SHIPMENT.

THE INFORMATION DESCRIBED ABOVE WILL BE PROVIDED AS
SOON AS POSSIBLE AFTER RECEIPT OF THE MATERIAL.

IT IS INTENDED THAT THE PROVISION OF THE INFORMATION
DESCRIBED ABOVE WILL BE INITIATED AS SOON AS POSSIBLE
AND NOT LATER THAN (BLANK). THE DETAILS OF THESE
ARRANGEMENTS CAN BE DISCUSSED WITH YOU OR YOUR STAFF WHEN-
EVER CONVENIENT.

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MY GOVERNMENT WOULD APPRECIATE THIS INFORMATION
BEING BROUGHT TO THE ATTENTION OF ALL MEMBERS OF THE
AGENCY BY MEANS OF AN INFCIRC DOCUMENT. UNQUOTE

4. MISSION BELIEVES FOREGOING DRAFT TEXT ACCOMMODATES
ALL TEXTUAL SUGGESTIONS AND COMMENTS REFTELS C AND D.
MECHANISM FOR PROVIDING ADVANCE INFORMATION ON EXPORTS
IS UNSPECIFIED AND MISSION BELIEVES US EXPORT LICENSE
APPLICATIONS COULD BE USED AS BASIS, PROVIDING ALL
INFO CALLED FOR UNDER 1(A), (B) AND (C) IS INCLUDED.
THAT INTENTION MUST, HOWEVER, BE CONVEYED TO USSR AND
UK. IN LIGHT ARKADIEV'S COMMENTS PARA 2 ABOVE, THIS MAY
REQUIRE EXTENSIVE EXPLANATION. WE INTEND TO DRAW UPON
EXPLANATIONS REFTELS C AND D FOR THAT PURPOSE. WE ARE
CONFIDENT THAT USSR WILL BE DISINTERESTED IN HAVING

AGENCY PERFORM ANY SAMPLING OR PLACING OF SEALS ON EXPORTS, BUT WILL CONFIRM DURING DISCUSSIONS. IF THAT IS CASE, QUESTION RAISED PARA 4 REFTEL D WILL NOT RPT NOT ARISE.

5. UK ATTITUDE ON ADVANCE INFO RE EXPORTS UNCERTAIN AT THIS TIME. SUGGESTION PARA 9 REFTEL D MADE TO JACKSON, BUT HE SAID EURATOM PROCEDURES ONLY CALL FOR REPORT TO EURATOM AT TIME OF EXPORT. IN REDRAFTING, HE TOOK CARE THAT WORDING DID NOT RPT NOT PRECLUDE EURATOM PROVIDING INFO TO IAEA, RATHER THAN UK.

6. PHRASE IN PARA (2) OF DRAFT TEXT REFERRING TO IMPORTS "FOR PEACEFUL NUCLEAR PURPOSES" REMAINS IN BRACKETS. JACKSON PROPOSED REMOVING BRACKETS BUT TOLCHENKOV POINTED OUT THAT, WHILE IMPORTING NWS MIGHT USE MATERIAL FOR OTHER PURPOSES, REASON FOR PROVIDING INFO TO AGENCY WAS TO PERMIT CLOSING OF MATERIAL BALANCE IN EXPORTING NNWS. THEREFORE, INFO ON IMPORTED PREVIOUSLY SAFEGUARDED MATERIAL SHOULD BE PROVIDED, REGARDLESS OF WHAT HAPPENS TO MATERIAL THEREAFTER IN NWS. HE NOTED THAT SUCH INFO WAS MERELY CONFIRMATORY, IN ANY EVENT, SINCE EXPORTING NNWS WAS OBLIGED TO REPORT FACTS TO AGENCY. JACKSON TOOK NOTE OF ARGUMENTS AND WILL REPORT FOR CONSIDERATION HIS GOVERNMENT.

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7. WE SUGGESTED THAT SOME MAXIMUM TIME PERIOD FOR POST-FACTO REPORTING OF IMPORTS BE INCLUDED, SUCH AS THREE MONTHS, PERIOD SPECIFIED IN PARA 94 OF INFCIRC/153, BUT TOLCHENKOV WAS UNWILLING SPECIFY ANY PERIOD, PREFERRING TO STICK TO HIS ORIGINAL PHRASE "AS SOON AS POSSIBLE."

8. SUDDEN REVERSAL OF USSR POSITION AND URGENCY WITH WHICH USSR MISSION HAS ATTACHED TO REDRAFTING EXERCISE CLEARLY INDICATED THAT USSR WISHED LETTERS TO BE SENT AT EARLY DATE. THIS HAS BEEN CONFIRMED BY SECOND-RANKING MEMBER USSR MISSION WHO STATED TO JACKSON AND MISOFF AT SOVIET RECEPTION THAT USSR WISHED LETTERS TO BE SENT TO IAEA DIRGEN PRIOR TO JUNE 11 BOARD OF GOVERNORS MEETING. GUIDANCE RE THIS POINT WOULD BE APPRECIATED. PORTER

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Message Attributes

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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Drafter: RSLAWSON
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